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U.S. 10/31/03

ATTORNEY'S DOCKET: ISM/007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ADNAN SHENNIB

Serial No.: 09/400,151

Filed: 09/21/1999

Title: PERSONAL HEARING EVALUATOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Confirmation No. 3077

Group Art Unit: 2643

Examiner: Lao, Lun-See

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OCT 23 2003

Technology Center 2600

AMENDMENT

Responsive to the Office Action of 07/08/2003, which was improperly made final, for reasons specified in the remarks presented below, please amend this application as follows.



10-10003

2643

EXPRESS MAIL LABEL NO. ER 313 547 782 US
ATTORNEY'S DOCKET: ISM/007

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EXPRESS MAIL CERTIFICATE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No. **ER 313 547 782 US**

Date of Deposit: October 8, 2003

I hereby certify that the following attached papers:

- (1) Amendment Transmittal Letter;
- (2) 42-page Amendment (canceling 35 claims, w/fee calculation;; and
- (3) Return postcard (stamped, addressed) for acknowledging receipt.

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313.

Donald R. Greene
P.O. Box 12995
Scottsdale, AZ 85267-2995
Tel: 480.488.9895
Fax: 480.488.5654

Dated: 10/08/2003



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AMENDMENT TRANSMITTAL LETTER

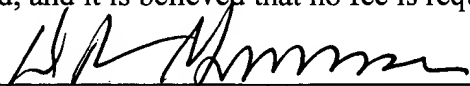
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. Transmitted herewith is a 42-page Amendment (35 claims canceled) responsive to the Office Action of 07/08/2003, an Express Mail Certificate, and a return postcard. THE ACTION WAS MADE FINAL, BUT APPLICANT SUBMITS THAT THE DESIGNATION OF FINALITY WAS PREMATURE AND REQUESTS THAT IT BE WITHDRAWN

2. Applicant and assignee remain entitled to Small Entity status. The fee for claims is:

	Claims After Amdmt.		Highest No. Prev. Pd. For		Extra		Present Rate (Small Entity)		Base Fee N/A
Total	74	minus	109	=	0	x	\$9	=	0.00
Indep.	5	minus	5	=	0	x	\$43	=	0.00
TOTAL									<u>\$0.00</u>

3. The Amendment is timely filed, and it is believed that no fee is required at this time.


Donald R. Greene
Registration No. 22470
P. O. Box 12995
Scottsdale, AZ 85267-2995
Telephone: 480-488-9895

Dated: 10/08/2003

Enclosures

DRG/ISMAMD/M10083.0075